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- 2. On September 4, 2008, I informed Network Appliance, Inc.'s ("NetApp") counsel that Sun would seek a stay of the case with respect to United States Patent No. 6,892,211 ("the '211 patent"). During this call, I asked whether NetApp would agree to have Sun's motion to stay heard on an expedited basis. NetApp's counsel indicated that he would consider Sun's proposal.
- 3. On September 8, 2008, NetApp indicated that it would oppose Sun's request that Sun's motion to stay be heard on an expedited basis.
 - 4. Sun has fully complied with Civil Local Rule 37-1(a).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: September 8, 2008.

CHRISTINE K. CORBETT